

MINUTES

CASE NUMBER: CIVIL 04-00671HG-LEK

CASE NAME: Raymond Ware vs. Michael Chertoff in his official capacity as
Secretary of the Department of Homeland Security

ATTYS FOR PLA: Daphne Barbee

ATTYS FOR DEFT: Thomas A. Helper

INTERPRETER:

JUDGE: J. Michael Seabright

REPORTER: Cynthia Fazio

DATE: 03/20/2008

TIME: 10:30 - 10:35

COURT ACTION: 7th Day Jury Trial:

Jury returned at 9:00 a.m. to resume further deliberation.

10:30 a.m. - Jury returned with verdict with the Honorable J. Michael Seabright presiding.

Plaintiff present with counsel Daphne Barbee.

Verdict read as follows:

1. Has the plaintiff proved by a preponderance of the evidence that the plaintiff's race and/or prior Equal Employment Opportunity ("EEO") complaint was a motivating factor in the defendant's decision to promote three other individuals to screening manager instead of plaintiff in August 2003? YES

2. Has the defendant proved, by a preponderance of the evidence, that the defendant would have made the same decision not to promote plaintiff even if the plaintiff's race and/or prior EEO complaint had played no role in the defendant's decision not to promote plaintiff? NO

3. What sum of money, if any, do you unanimously agree will fairly and reasonably compensate plaintiff for the injuries he proved he suffered as a result of the race and/or retaliation discrimination you found? \$0

Jury polled. Verdict unanimous.

Submitted by: Dottie Miwa, Courtroom Manager